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AP/135

PATENT

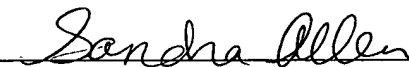
Attorney Docket No. INK-006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Albert *et al.* CONFIRMATION NO.: 9214  
SERIAL NO.: 09/140,862 GROUP NO.: 2673  
FILING DATE: August 27, 1998 EXAMINER: Lewis, David Lee  
TITLE: COLOR ELECTROPHORETIC DISPLAYS

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20th day of October, 2004.

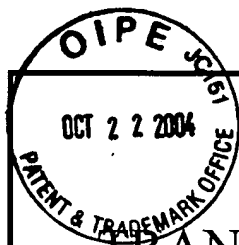
  
Sandra Allen

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 pg);
2. Second Supplemental Information Disclosure Statement (2 pgs);
3. Form PTO-1449 (17 pgs);
4. Copies of Cited References labelled A1-A323, B1-B252, and C4-C81; and a
5. Return Receipt Postcard.



# TRANSMITTAL FORM

Application Serial Number	C9/140,862
Filing Date	August 27, 1998
First Named Inventor	Albert
Group Art Unit	2673
Examiner Name	Lewis, David Lee
Attorney Docket No.	INK-006
Patent No.	Not applicable
Issue Date	Not applicable

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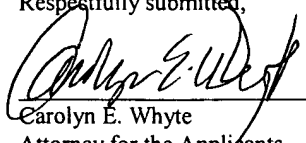
## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal	<input type="checkbox"/> Status Inquiry
<input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement (2 pgs) <input checked="" type="checkbox"/> Form PTO-1449 (17 pgs) <input checked="" type="checkbox"/> Copies of IDS Citations (A1-A323, B1-B252, and C4-C81)	<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 (1 pg)
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
	<input type="checkbox"/> CD(s) for large table or computer program	
	<input type="checkbox"/> Amendment After Allowance	
	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
Carolyn E. Whyte  
Attorney for the Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

Date: October 20, 2004  
Reg. No. 55,728  
Customer No. 021323  
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PATENT  
Attorney Docket No. INK-006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Albert *et al.* CONFIRMATION NO.: 9214  
SERIAL NO.: 09/140,862 GROUP NO.: 2673  
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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications labelled A1-A323, B1-B252, and C4-C81 are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

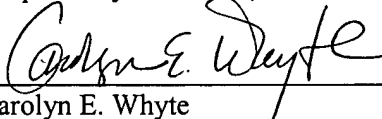
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

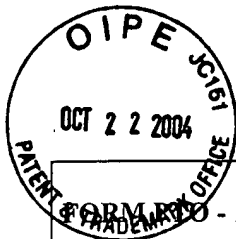
Respectfully submitted,



Carolyn E. Whyte  
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Boston, Massachusetts 02110

Date: October 20, 2004  
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FORM PTO-1449

**INFORMATION DISCLOSURE  
STATEMENT**

**ATTY DOCKET NO:** INK-006 (2108 / 13)

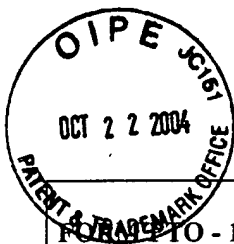
**APPLICANT:** Albert, et al.

**SERIAL NO.:** 09/140,862

**FILING DATE:** August 27, 1998 **GROUP:** 2673

**U.S. PATENT DOCUMENTS**

Exam. Init.	Patent ID	Issue Date	Inventor	Filing Date
A1	2002/0021270 A1	2/21/02	Albert, Jonathan D.	8/16/01
A2	2002/0090980	7/11/02	Wilcox, Russell J. et al	12/5/01
A3	2002/0130832 A1	9/19/02	Baucom, Allan Scott et al	3/13/02
A4	2002/0140688 A1	10/3/02	Steinberg, Robert B. et al	5/20/02
A5	2002/0145792 A1	10/10/02	Jacobson, Joseph M et al	11/12/01
A6	2002/0154382 A1	10/24/02	Morrison, Ian D. et al	11/12/01
A7	2004/0017349 A1	1/29/04	Hideyuki Kawai, Fujimi-machi (JP)	6/17/03
A8	3,036,388	5/29/62	Tate, C.R.	10/27/61
A9	3,406,363	10/15/68	C.R. Tate	5/26/66
A10	3,460,248	8/12/69	C.R. Tate	5/26/66
A11	3,585,381	6/15/71	T.L. Hodson et al.	4/14/69
A12	3,612,758	10/12/71	P.F. Evans et al.	10/3/69
A13	3,617,374	11/2/71	T.L. Hodson et al.	4/14/69
A14	3,668,106	6/6/72	Ota	4/9/70
A15	3,670,323	6/13/72	Sobel et al.	12/14/70
A16	3,792,308	2/12/74	Ota	6/8/70
A17	3,870,517	3/11/75	Ota et al.	6/5/72
A18	3,936,816	2/3/76	Murata	10/31/73
A19	3,959,906	6/1/76	Norris, Jr., et al.	6/9/75
A20	3,972,040	7/27/76	Hilsum, et al.	8/12/74
A21	4,056,708	11/1/77	Soodak; Charles et al	7/22/75
A22	4,062,009	12/6/77	Raverdy et al.	7/13/76
A23	4,093,534	6/6/78	Carter et al.	2/5/75
A24	4,104,520	8/1/78	Lewis et al.	5/24/77
A25	4,126,528	11/21/78	Chiang; Anne	7/26/77
A26	4,143,103	3/6/79	Sheridon; Nicholas K.	5/4/79
A27	4,143,472	3/13/79	Murata et al.	12/29/77
A28	4,185,621	1/29/80	Morrow; Richard B. A.	10/28/77
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A30	4,251,747	2/17/81	Burdick; Glen A.	11/15/79
A31	4,272,596	6/9/81	Harbour et al.	6/1/79
A32	4,285,801	8/25/81	Chiang; Anne A.	9/20/79
A33	4,298,448	11/3/81	Muller et al.	1/24/80
A34	4,301,407	11/17/81	Koslar; Manfred	10/22/79
A35	4,311,361	1/19/82	Somlyody; Arpad	3/13/80
A36	4,314,013	2/2/82	Chang; Yew C.	4/4/79
A37	4,324,456	4/13/82	Dalisa, Andrew L.	8/2/79
A38	4,336,536	6/22/82	Kalt et al.	12/17/79
A39	4,345,249	8/1/82	Togashi; Seigo	12/12/80
A40	4,368,952	1/18/83	Murata et al.	12/10/80
A41	4,373,282	2/15/83	Wragg, Robert	5/29/81
A42	4,435,047	3/6/84	Ferguson; James L.	9/16/81
A43	4,438,160	3/20/84	Ishikawa et al.	1/17/83
A44	4,453,200	6/5/84	Trcka et al.	7/20/81
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PTO - 1449

**INFORMATION DISCLOSURE  
STATEMENT**

**ATTY DOCKET NO:** INK-006 (2108 / 13)

**APPLICANT:** Albert, et al.

**SERIAL NO.:** 09/140,862

**FILING DATE:** August 27, 1998 **GROUP:** 2673

**U.S. PATENT DOCUMENTS**

Exam. Init.		Patent ID	Issue Date	Inventor	Filing Date
	A47	4,509,828	4/9/85	Clerc; Jean F. et al	1/26/82
	A48	4,544,834	10/1/85	Newport; Derek J. et al	4/18/84
	A49	4,598,960	7/8/86	DiSanto et al.	4/29/85
	A50	4,605,284	8/12/86	Ferguson; James L.	6/29/84
	A51	4,606,611	8/16/86	Ferguson; James L.	3/21/83
	A52	4,616,903	10/14/86	Ferguson, James L.	3/21/83
	A53	4,620,916	11/4/86	Zwemer et al.	9/19/85
	A54	4,640,583	2/3/87	Hoshikawa et al.	7/19/84
	A55	4,643,528	2/17/87	Bell, Jr., James R.	3/18/85
	A56	4,655,897	4/7/87	DiSanto et al.	11/13/84
	A57	4,684,219	8/4/87	Cox; Allen R. et al	12/23/85
	A58	4,686,524	8/11/87	White; Roger P.	11/4/85
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	A60	4,703,573	11/3/87	Montgomery et al.	2/4/85
	A61	4,707,080	11/17/87	Ferguson; James L. (	3/2/84
	A62	4,707,593	11/17/87	Murata; Yasuzo et al	5/23/86
	A63	4,726,662	2/23/88	Cromack; Douglas A.	9/24/85
	A64	4,730,186	3/8/88	Koga et al.	4/19/85
	A65	4,732,456	3/22/88	Ferguson et al.	5/18/87
	A66	4,732,830	3/22/88	DiSanto et al.	7/7/86
	A67	4,741,601	5/3/88	Saito, Takeshi	10/8/85
	A68	4,742,345	3/3/88	Di Santo et al.	11/19/85
	A69	4,746,917	5/24/88	Di Santo et al.	7/14/86
	A70	4,772,102	9/20/88	Ferguson et al.	10/5/87
	A71	4,772,820	9/20/88	DiSanto et al.	9/11/86
	A72	4,776,675	10/11/88	Takauchi, et al	6/13/85
	A73	4,789,858	12/6/88	Ferguson et al.	6/12/84
	A74	4,794,390	12/27/88	Lippman, Jeffrey H.	3/10/86
	A75	4,821,291	4/11/89	Stevens et al.	9/22/86
	A76	4,824,208	4/25/89	Ferguson et al.	10/5/87
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	A79	4,850,919	7/25/89	DiSanto et al.	3/21/88
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	A81	4,889,603	12/26/89	DiSanto et al.	12/9/88
	A82	4,891,245	1/2/90	Micale, Fortunato J.	3/21/86
	A83	4,892,607	1/9/90	DiSanto et al.	6/14/88
	A84	4,931,019	6/5/90	Park, Kyung T.	9/1/88
	A85	4,937,586	6/26/90	Stevens et al.	1/6/88
	A86	4,947,157	8/7/90	Di Santo et al.	10/3/88
	A87	4,947,159	8/7/90	Di Santo et al.	4/18/88
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	A89	4,949,081	8/14/90	Keller et al.	12/9/88
	A90	4,962,466	10/9/90	Revesz et al.	12/19/89
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FORM PTO - 1449

ATTY DOCKET NO: INK-006 (2108 / 13)

INFORMATION DISCLOSURE  
STATEMENT

APPLICANT: Albert, et al.

SERIAL NO.: 09/140,862

FILING DATE: August 27, 1998 GROUP: 2673

## U.S. PATENT DOCUMENTS

Exam. Init.		Patent ID	Issue Date	Inventor	Filing Date
	A93	5,016,002	5/14/91	Levanto, Lauri	4/5/89
	A94	5,028,841	7/2/91	DiSanto et al.	7/18/89
	A95	5,041,824	8/20/91	DiSanto et al.	3/2/89
	A96	5,042,917	8/27/91	Fujita et al.	3/7/89
	A97	5,053,763	10/1/91	DiSanto et al.	5/1/89
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	A99	5,066,105	11/19/91	Yoshimoto et al.	10/17/90
	A100	5,066,946	11/19/91	DiSanto et al.	7/3/89
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	A102	5,070,326	12/3/91	Yoshimoto et al.	4/7/89
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	A104	5,082,351	1/21/92	Ferguson, James L.	4/14/89
	A105	5,128,785	7/7/92	Yoshimoto et al.	8/6/90
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	A108	5,155,607	10/13/92	Inoue et al.	3/15/91
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	A110	5,167,508	12/1/92	Mc Taggart	4/14/91
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	A112	5,174,882	12/29/92	DiSanto et al.	11/25/91
	A113	5,177,476	1/5/93	DiSanto et al.	8/19/91
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	A115	5,185,226	2/9/93	Grosso et al.	6/28/91
	A116	5,187,609	2/16/93	DiSanto et al.	3/27/91
	A117	5,194,852	3/16/93	More et al.	6/16/89
	A118	5,208,686	5/4/93	Ferguson	5/19/92
	A119	5,216,416	6/1/93	DiSanto et al.	8/19/91
	A120	5,220,316	6/15/93	Kazan	9/6/91
	A121	5,223,115	6/29/93	DiSanto et al.	8/23/91
	A122	5,233,459	8/3/93	Bozler et al.	3/6/91
	A123	5,238,861	8/24/93	Morin et al.	5/14/91
	A124	5,247,290	9/21/93	Di Santo et al.	11/21/91
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	A127	5,266,934	11/30/93	Van Almen, Jacobus J.	12/23/92
	A128	5,266,937	11/30/93	DiSanto et al.	11/25/91
	A129	5,270,843	12/14/93	Wang, Jiansheng	8/31/92
	A130	5,276,438	1/4/94	DiSanto et al.	11/20/91
	A131	5,279,694	1/18/94	DiSanto et al.	10/26/92
	A132	5,293,528	3/8/94	DiSanto et al.	2/25/92
	A133	5,298,833	3/29/94	Hou, Wei-Hsin	6/22/92
	A134	5,302,235	4/12/94	DiSanto et al.	6/21/91
	A135	5,303,073	4/12/94	Shirota et al.	6/24/92
	A136	5,304,439	4/19/94	DiSanto et al.	1/21/93
	A137	5,315,312	5/24/94	DiSanto et al.	8/18/93
	A138	5,344,594	9/6/94	Sheridon, Nicholas K.	12/11/92



FORM PTO - 1449

**INFORMATION DISCLOSURE  
STATEMENT**

**ATTY DOCKET NO:** INK-006 (2108 / 13)

**APPLICANT:** Albert, et al.

**SERIAL NO.:** 09/140,862

**FILING DATE:** August 27, 1998

**GROUP:** 2673

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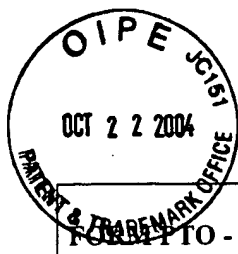
**OCT 26 2004**

**Technology Center 2600**

**U.S. PATENT DOCUMENTS**

Exam. Init.	Patent ID	Issue Date	Inventor	Filing Date
A139	5,345,251	9/6/94	DiSanto et al.	1/11/93
A140	5,345,322	9/6/94	Ferguson, James L.	5/3/93
A141	5,357,355	10/18/94	Arai, Ryoichi	5/14/92
A142	5,359,346	10/25/94	DiSanto et al.	7/7/93
A143	5,360,689	11/1/94	Hou et al.	5/21/93
A144	5,362,671	11/8/94	Zavracky et al.	4/8/94
A145	5,374,815	12/20/94	Waterhouse et al.	3/15/93
A146	5,380,362	1/10/95	Schubert, Frederic E.	7/16/93
A147	5,389,945	2/14/95	Sheridon, Nicholas K.	11/19/93
A148	5,398,131	3/14/95	Hall et al.	8/13/92
A149	5,402,145	3/28/95	DiSanto et al.	2/17/93
A150	5,403,518	4/4/95	Schubert, Frederic E.	12/2/93
A151	5,407,231	4/18/95	Schwartz, David C.	11/23/92
A152	5,411,398	5/2/95	Nakanishi et al.	1/14/94
A153	5,412,398	5/2/95	DiSanto et al.	3/8/94
A154	5,430,462	7/1/95	Masayuki Katagiri	12/6/93
A155	5,450,069	12/12/95	DiSanto et al.	6/23/94
A156	5,459,776	10/17/95	Di Santo et al.	1/21/94
A157	5,460,688	10/24/95	DiSanto et al.	5/5/93
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**INFORMATION DISCLOSURE  
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**ATTY DOCKET NO:** INK-006 (2108 / 13)

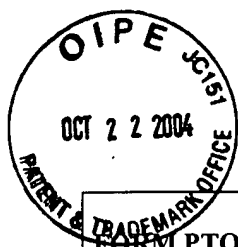
**APPLICANT:** Albert, et al.

**SERIAL NO.:** 09/140,862

**FILING DATE:** August 27, 1998 **GROUP:** 2673

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FORM PTO - 1449

**INFORMATION DISCLOSURE  
STATEMENT**
**ATTY DOCKET NO:** INK-006 (2108 / 13)

**APPLICANT:** Albert, et al.

**SERIAL NO.:** 09/140,862

**FILING DATE:** August 27, 1998

**GROUP:** 2673

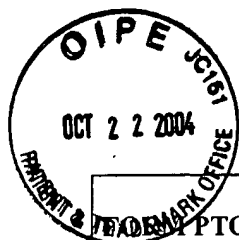
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**INFORMATION DISCLOSURE  
STATEMENT**

**ATTY DOCKET NO:** INK-006 (2108 / 13)

**APPLICANT:** Albert, et al.

**SERIAL NO.:** 09/140,862

**FILING DATE:** August 27, 1998 **GROUP:** 2673

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INFORMATION DISCLOSURE  
STATEMENT

ATTY DOCKET NO: INK-006 (2108 / 13)

APPLICANT: Albert, et al.

SERIAL NO.: 09/140,862

FILING DATE: August 27, 1998 GROUP: 2673

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FORM PTO - 1449

**INFORMATION DISCLOSURE  
STATEMENT**

**ATTY DOCKET NO:** INK-006 (2108 / 13)

**APPLICANT:** Albert, et al.

**SERIAL NO.:** 09/140,862

**FILING DATE:** August 27, 1998 **GROUP:** 2673

**FOREIGN PATENT DOCUMENTS**

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FORM PTO - 1449

**INFORMATION DISCLOSURE  
STATEMENT**
**ATTY DOCKET NO:** INK-006 (2108 / 13)

**APPLICANT:** Albert, et al.

**SERIAL NO.:** 09/140,862

**FILING DATE:** August 27, 1998 **GROUP:** 2673

**FOREIGN PATENT DOCUMENTS**

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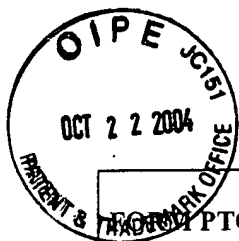


FORM PTO - 1449  INFORMATION DISCLOSURE STATEMENT	ATTY DOCKET NO: INK-006 (2108 / 13)	<b>RECEIVED</b> OCT 26 2004 Technology Center 2600
	APPLICANT: Albert, et al.	
	SERIAL NO.: 09/140,862	
	FILING DATE: August 27, 1998      GROUP: 2673	

FOREIGN PATENT DOCUMENTS

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ATTORNEY PTO - 1449

ATTY DOCKET NO: INK-006 (2108 / 13)

**INFORMATION DISCLOSURE  
STATEMENT**

APPLICANT: Albert, et al.

SERIAL NO.: 09/140,862

FILING DATE: August 27, 1998 GROUP: 2673

**FOREIGN PATENT DOCUMENTS**

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APPLICANT: Albert, et al.

SERIAL NO.: 09/140,862

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Exam. Init.		Patent ID	Issue Date	Country	Filing Date	Abstract Only?	English Language?	Only Abstract In
	B231	WO 99/05236	2/4/99	WO	7/21/98	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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C5	Ackerman, J.; E Ink of Cambridge Gets Start-Up Funding; 12/24/97; D4; Boston Globe
C6	Amundson et al.; 12.3: Flexible, Active-Matrix Display Constructed Using a Microencapsulated Electrophoretic Material and an Organic-Semiconductor-Based Backplane; 1/1/01; 160-63; SID 01 Digest
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C9	Berst, Jesse; E-Paper Here Sooner Than You Think; 11/20/00; <a href="http://www.zdnet.com/filters/printerfriendly/0,6061,2656348-10,00.html">http://www.zdnet.com/filters/printerfriendly/0,6061,2656348-10,00.html</a>
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C34	Goodman, L.A.; Passive Liquid Displays: Liquid Crystals, Electrophoretics, and Electrochromics; 1/1/76; 30-38; Proceeding of the S.I.D.; 17(1)
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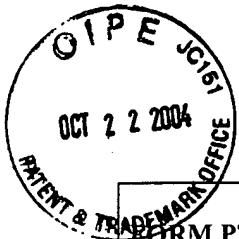
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OTHER ART, JOURNAL ARTICLES, ETC.			
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